

REMARKS

With respect to the Examiner's objection to the drawings, the Applicants have submitted replacement drawing sheet 2, showing the right angle notations and correcting the inconsistency between reference numerals 15 and 16 in Figs. 3 and 4. In light of the foregoing replacement sheet, the Applicants respectfully request reconsideration of this objection.

In the specification, to make the use of reference numeral 4 consistent, the Applicants have removed the use of reference numeral 4 in connection with the trochlean trajectory in paragraph 32, line 10. To clarify line 20 of page 4, the Applicants have substituted the word "weaken" for "fragilize." Consequently, the Applicants respectfully request reconsideration of the objections to the specification.

With respect to the objection to claim 6 and 7, the Applicants have amended claim 6 as suggested by the Examiner, and respectfully request reconsideration of this objection.

With respect to the Examiner's 35 U.S.C. §112 rejections, the Applicants have amended claim 1 as suggested by the Examiner to indicate "at least one condyle." The other references to "condyles" in claims 1 and 3 have been amended to refer to a single condyle.

To simplify prosecution, the Applicants have removed claim 4. The Applicants note that the external rotation method is discussed in the background portion of the specification.

With respect to claim 5, the Applicants have removed the more narrow ranges and placed them in new claims 13 and 14.

In view of the foregoing, the Applicants respectfully request reconsideration of all of the 35 U.S.C. §112 rejections.

Turning to the substantive rejections, the Applicants respectfully disagree

with the Examiner's finding that claims 1-12 are anticipated by Hollister because the projection of the trochlean trajectory in Hollister is not perpendicular to a reference line defined by the condyle as claimed. As can be seen in Figure 10 of Hollister, the projection of the trochlean trajectory is not perpendicular but rather is at an angle β relative to a perpendicular line extending from reference line TP, which passes through the condyles. With respect to the reference to Figure 3, it is respectfully noted that this Figure depicts an actual knee and not the prosthetic component of the Hollister invention. Consequently, the Applicants believe that Hollister does not anticipate the invention of claims 1-3 and 5-14. The Applicants submit that the perpendicular projection of the prosthetic fills the trapezoidal space resulting in the ligaments on either side of the prosthetic applying an equal stress without having to rotate the femoral component. The drawbacks of such rotation including bone loss and excessive wear on the prosthetic are described more completely in the Background of the Invention. Therefore, the Applicants believe that the claimed invention is novel and represents a significant improvement over the prior art. In view of this, the Applicants respectfully request reconsideration of the 35 U.S.C. §102 rejections.

The Applicants believe that amended claims 1-3 and 5-14 are in condition for allowance and respectfully requests notice of the same.

Application No.: 09/981,594
Reply to Office Action of May 21, 2003
Docket No.: CAC.P.0022

Should the Examiner wish to discuss any of the foregoing in more detail,
the undersigned attorney would welcome a telephone call.

Respectfully submitted,

The block contains two handwritten signatures in black ink. The first signature, on the left, is for Edward G. Greive and is written in a cursive style. The second signature, on the right, is for Shannon V. McCue and is also in cursive. Both signatures are positioned above a horizontal line that separates them from the printed contact information.

Edward G. Greive, Reg. No. 24,726
Shannon V. McCue, Reg. No. 42,859
Renner, Kenner, Greive, Bobak, Taylor & Weber
First National Tower - Fourth Floor
Akron, Ohio 44308-1456
Telephone: (330) 376-1242
Facsimile: (330) 376-9646
E-mail: eggreive@rennerkenner.com

Attorney for Applicants

Attachment - replacement drawing sheet